

## ERB JURY IS DIVIDED

Send Word to Judge After Five Hours' Wrangling.

## BOTH WOMEN BREAK DOWN

Court is Adjourned Until To-day and Mrs. Erb is Locked Up for First Time Since Habeas Corpus Proceedings in November—She Shows Her Bitter Disappointment.

Philadelphia, Jan. 6.—After five hours of wrangling the jury in the Erb case sent in word to Judge Johnson at 3:30 o'clock that they would be unable to reach a decision to-night.

It is known that the body is hopelessly divided.

Following the notification, the judge ordered the court adjourned until to-morrow morning.

Mrs. Erb and Mrs. Beisel both broke down and wept bitterly when told the jury could not agree.

"I was so confident of being acquitted at once," sobbed Mrs. Erb.

Incidentally, for the first time since the habeas corpus proceedings, in November, when she was released by Judge Bromall under \$500 bail, Mrs. Erb was to-night locked up in Media jail. Mrs. Beisel has been a prisoner there since the shooting.

Half an hour after the jury had retired a upstairs was summoned from the courtroom and given a postal card by Jurymen Edward Connor, of Sharon Hill. "Won't be home before to-morrow. Can't tell when, it really is so."

This shows the state of mind of the men.

## HEARST PAPER INDICTED.

## Grand Jury Makes Return on John D. Rockefeller, Jr.'s Complaint.

New York, Jan. 6.—The special grand jury, sworn in on Monday by Justice Dowling, returned an indictment to-day against the Star Company, publishers of William R. Hearst's New York American, charging criminal libel. Clarence Shearn, Mr. Hearst's counsel, was notified of the indictment and ordered to have some one in Justice Dowling's part of the Supreme Court to-morrow to answer to the indictment for the Star Company.

The indictment is based upon a complaint filed by John D. Rockefeller, Jr., who was accused, it is alleged, in an article printed in the American a short time ago, of being responsible for a system of alleged peonage existing in a plant of the Corn Products Company, near Chicago.

Mr. Rockefeller preferred his original complaint against S. S. Carvallo, president; Bradford Merrill, treasurer; and Edward H. Clark, secretary of the Star Company. No indictments were returned against these individuals to-day. Their case is now pending before Magistrate Moss in Center Street Court.

## Charge Against Yoder Dismissed.

## Special to The Washington Herald.

Roanoke, Va., Jan. 6.—The case against J. S. Yoder, a well known citizen, charged with misappropriating \$300 of the funds of a joint protective board of the Brotherhood of Locomotive Firemen, was to-day dismissed in the Corporation Court. Yoder was arrested some weeks ago.

## WEATHER CONDITIONS.

## U. S. Dept. of Agriculture, Weather Bureau.

Washington, Wednesday, Jan. 6, 1909-4 p. m.

The influence of the northwestern cold wave is now being felt in the Atlantic coast section. The temperature between the Mississippi River and the eastern mountain range and in the Southern States has fallen 10 to 15 degrees during the past twenty-four hours. Very low temperatures still prevail in the Northwest, although there has been a slight moderation in the Rocky Mountain region and on the eastern slope, except in the British Northwest, where the intensity of the cold has still further increased.

The Pacific coast storm extends southward across the Western Pacific region, and this disturbance is causing the heaviest snow in the Upper and Middle Missouri Valley and the Pacific coast. Mostly fair weather has prevailed elsewhere, with the exception of a few scattered snow flurries.

The weather will continue cold and partly cloudy from the Mississippi River westward over the Rockies and Plateau region, with a moderate increase in temperature. The cold, however, in the extreme Northwestern States will be reinforced on Friday by reason of the redevelopment of the cold wave in the British Northwest.

Storm warnings are displayed on the Pacific coast from Eureka northward.

The winds along the Atlantic coast will be fresh northeasterly, on the Gulf coast fresh northerly, shifting to northeasterly.

Steamers departing Thursday for European ports will have fresh northeasterly winds with partly cloudy and cold weather to the Grand Banks.

## Local Temperature.

Midnight, 34°; 2 a. m., 33°; 4 a. m., 32°; 6 a. m., 31°; 8 a. m., 30°; 10 a. m., 29°; 12 noon, 28°; 2 p. m., 27°; 4 p. m., 26°; 6 p. m., 25°; 8 p. m., 24°; 10 p. m., 23°; 12 midnight, 22°.

## Temperatures in Other Cities.

Temperatures in other cities, together with the amount of rainfall, for the twelve hours ended at 2 p. m., yesterday, are as follows:

City	Max.	Min.	8 a. m.	fall.
Ashfield, N. C.	42	32	42	
Atlanta, Ga.	42	32	42	
Baltimore, Md.	42	32	42	
Bismarck, N. Dak.	34	24	34	
Boston, Mass.	34	24	34	
Buffalo, N. Y.	34	24	34	
Chicago, Ill.	34	24	34	
Cincinnati, Ohio	34	24	34	
Columbus, Ohio	34	24	34	
Davenport, Iowa	34	24	34	
Des Moines, Iowa	34	24	34	
Galveston, Tex.	34	24	34	
Havana, Cuba	34	24	34	
Indianapolis, Ind.	34	24	34	
Jacksonville, Fla.	34	24	34	
Kansas City, Mo.	34	24	34	
Little Rock, Ark.	34	24	34	
Los Angeles, Cal.	34	24	34	
Memphis, Tenn.	34	24	34	
New Orleans, La.	34	24	34	
New York, N. Y.	34	24	34	
Omaha, Neb.	34	24	34	
Pittsburgh, Pa.	34	24	34	
Portland, Me.	34	24	34	
Salt Lake City, Utah	34	24	34	
St. Louis, Mo.	34	24	34	
St. Paul, Minn.	34	24	34	
Springfield, Ill.	34	24	34	
Vicksburg, Miss.	34	24	34	

## Tide Table.

To-day—High tide, 8:48 a. m. and 8:55 p. m.; low tide, 2:36 a. m. and 3:03 p. m.

## Condition of the Water.

Special to The Washington Herald.

Harper Ferry, W. Va., Jan. 6.—Shenandoah muddy and Potomac clear.

## Rock and Rye

For coughs and colds. \$1 quart.

50 cents pint. Made of Pure Rye

Whisky and Rock Candy.

TO-KALON WINE CO.

614 14TH ST. N. W. Phone 31, 205.

## White-Rock

THE WORLD'S BEST TABLE WATER

As supplied to

His Most Particular Highness

The American Citizen

King of Connoisseurs,

and Prince of Good Fellows

sorry---not imported

## NEWS OF ALEXANDRIA

## Coroner's Jury Finds Orrison Committed Suicide.

JUMPED IN FRONT OF TRAIN

Judge Waddill, in United States Court, Hands Down Number of Decisions—Columbia Engine Company Elects Officers—Mortality-Smith Marriage—Woodmen Elect Officers.

Alexandria News Agency, 355 King street, Alexandria, Va., authorized agents and carriers for The Washington Herald. The Herald will be delivered daily and Sunday to any address in Alexandria for 50 cents a month.

WASHINGTON HERALD BUREAU, (Bell Telephone 84)

Alexandria, Va., Jan. 6.—That Emerson Warner Orrison, of Arcola, Va., threw himself in front of an engine on the Bluemont branch of the Southern Railway last evening and was killed, was the verdict of the coroner's jury to-day. The jury held the crew of the train blameless.

Orrison was killed instantly early last evening by being struck by an east-bound freight over the above road, near Hume's Spring, Alexandria County. Orrison's body was this afternoon sent to Herndon. The funeral will probably be held at Arcola to-morrow. The body was accompanied by Robert L. Orrison, brother of the dead man.

The jury was composed of the following: E. J. Pennybacker, foreman; William Duncan, J. L. Reid, W. E. Norton, J. V. Barrett, and J. M. McDonald. The crew of the train consisted of H. N. Parrish, conductor; Jacob Cori, engineer; W. L. Leatherland, fireman.

Engineer Cori testified that he saw the man on the track walking toward his train, which was traveling at the rate of about fifteen miles an hour. He sounded his whistle, but the man paid no attention. When within a few feet of him he again sounded his whistle, applied the emergency brakes and started the ball to ringing.

Without warning, Orrison threw up his hands, and as he fell in a kneeling position, threw his body across the tracks. The entire train of seven cars passed over Orrison, horribly mangled his body. Engineer Cori was the only member of the crew who saw the man before he was killed.

No reason can be assigned for Orrison's act. He was 35 years old and unmarried. He was a son of James W. Orrison.

In the United States Circuit Court for the Eastern district of Virginia to-day Judge Edmund Waddill, presiding, Henry De Lais, a negro, entered a plea of guilty of assaulting George Campbell on a government reservation and was fined \$10.

Ella Kidd, Andrew Lewis, and William Washington entered pleas of guilty to violating the internal revenue laws, and the court suspended sentences.

The admiralty case of the schooner Emma L. McKenney against the tug Southern was referred to R. E. W. Garret, special examiner, to take testimony.

Judgment for the government for \$150 and costs was entered in the case of the United States against Marcus N. Smedley and the United States Fidelity and Guaranty Company.

Following the adjournment of court, Judge Waddill went to Pittsburgh, where he will try several cases in the Western district of Pennsylvania.

At the annual meeting of the Columbia Steam Fire Engine Company held to-night, the following officers were elected: W. A. Smoot, president; W. K. Griffith, first vice president; J. L. Duffey, second vice president; N. C. Treake, secretary; J. P. Lockett, assistant recording secretary; John Leadbeater, treasurer; J. F. Pettie, captain; J. W. Travers, commander; R. L. Merchant, first assistant commander; Ernest Craven, second assistant commander; C. S. Leadbeater, C. J. W. Summers and C. W. Duffey, executive committee; John Leadbeater, C. J. W. Summers and J. F. Pettie, Alexandria Firemen's Association Committee; W. K. Griffith, J. F. Pettie, N. L. Smith, N. C. Treake, J. W. Hughes, membership committee; J. F. Pettie, J. W. Travers, R. L. Merchant, N. L. Smith, J. W. Hughes, G. A. Norris and N. C. Treake, good of company committee.

Miss Iva R. Morlary, daughter of Mrs. Lizzie M. Morlary, and Frank W. Smith, son of Lieut. James Smith, of the police department, were married at 11 o'clock this morning at the manse of the Second Presbyterian Church. The bride wore a tailor-made gown of blue broadcloth, with hat and gloves to match. She was attended by Miss Maggie Hepburn, and the groom had for his best man Jerome Kaufman. Following the wedding Mr. and Mrs. Smith left for a Southern bridal trip.

The following recently elected officers of Alexandria Camp No. 1135, Modern Woodmen of America, were installed last night: Wythe White, venerable counselor; W. L. Rouse, adviser; E. B. Riadon, banker; C. W. Dettor, clerk; J. T. Waddy, escort; C. W. Thomas, watchman; George W. Carter, secretary; Dr. R. L. Wilkins, physician.

The Young Men's Social Lyceum has elected the following officers: R. E. Power, president; F. T. Quinn, first vice president; C. T. Hellmuth, second vice president; William Roomey, recording secretary; James Patterson, Jr., financial secretary; R. L. Crane, Jr., treasurer; M. Downey, sergeant-at-arms; J. T. Downey, librarian.

L. S. Kirby was to-night appointed superintendent of the Alexandria Electric Light Company, in place of C. T. Rederick. The appointment of Mr. Kirby to the position meets with the hearty approval of his many friends in this city.

Frank Dodd, who died in Washington to-day, was serving as foreman of a

## DISTRICT BILL IS CUT

Committee Sets Forth Need of \$9,837,758.52 for Expenses.

\$38,470.33 UNDER THIS YEAR

Estimates of the Board of Commissioners Cut All Along the Line, and Many Items Not Asked Are Included in Budget—\$123,160 Recommended for Water Department.

Instead of carrying an increase of \$1,100,257 over last year's bill as asked by the Commissioners, the District appropriations bill for next year, as reported to the House of Representatives yesterday, carries a decrease of \$38,470.33.

The bill was reported to the House by Representative Gardner, of Massachusetts, chairman of the sub-committee on District of Columbia appropriations, of which Messrs. Madden, of Illinois; Vreeland, of New York; Burleson, of Texas, and Bowers, of Mississippi, are the other members. It will be called up for consideration by the whole House to-day.

The bill carries a total of \$9,837,758.52, exclusive of the water department. The Commissioner's estimates for the year amounted to \$10,066,865.52. The amount recommended for the water department, all of which is payable from the water revenues, is \$122,160, which is \$2,000 less than recommended for the present fiscal year.

Water Revenues.

It is estimated that the water revenues available for the fiscal year 1910 will amount to \$56,000, but it is provided in the bill, as it was in the act for the current and seventeen preceding fiscal years, that any surplus of these revenues over the appropriations made specifically therefor shall be applied to the work of extending the high-service system of water distribution.

Under these indefinite appropriations of the surplus water revenues there has been expended to July 1, 1908, for extending the high-service system of water distribution about \$3,500,000. The estimated ultimate cost is about \$5,000,000, which sum includes \$1,200,000 estimated to be required to complete installation of meters in private premises.

The total general revenues of the District of Columbia for the fiscal year 1910 it is estimated will be \$1,000,000. The appropriations recommended in the bill and payable from the revenues of the District amount to \$4,818,879.28.

In addition to the foregoing sum, appropriations have already been passed by the House in the legislative, executive, and judicial act, and other sums will probably be included in the sundry civil bill, all chargeable next year to the revenues of the District, aggregating about \$15,000.

## Legislative Limitations.

The bill contains some interesting legislative limitations. One provision repeals all laws requiring the inspector of buildings to supervise the preparations of plans for and the construction of all buildings belonging to the District of Columbia, and provides for a municipal architect at a salary of \$3,000 a year to supervise this work.

The following further limitations are imposed in connection with the building inspector's office:

"The Commissioners of the District of Columbia are hereby authorized and directed, from time to time, to prescribe a schedule of fees to be paid for permits, certificates, and transcripts of records issued by the inspector of buildings for the District, said fees to cover the cost and expense of the issuance of said permits and certificates, and of the inspection of the work done under said permits; said schedule shall be printed and conspicuously displayed in the office of the inspector of buildings, and the fees shall be paid to the collector of taxes in the District."

Relative to street repairs there is a provision authorizing the Commissioners, at their discretion, to expend, not to exceed \$100,000 of the sum appropriated for repairing streets, by what is known as the heater method of repairs.

The provision, in connection with street lighting, reduces the price from \$5 to \$3 per foot for each light, and for electric current used for other purposes to 4-1-2 cents a kilowatt hour. Street lighting by gas is reduced from \$18 to \$15 for flat flame burners, and from \$20.85 to \$18 for incandescent mantle burners, and with oil lamps from \$23.50 to \$20 a burner.

The measure prohibits the use of policemen as watchmen at the municipal building, and the number of watchmen at that building is increased from five to eight.

The provision is made that the next vacancy occurring in the office of justice of the peace in the District shall not be filled, and that henceforth the number of justices of the peace in the District shall be five.

Pinn of Appropriations.

The following will give some general idea of the way the appropriations committee treated the estimates submitted by the Commissioners:

Under the general head of salaries the current appropriation is \$565,335. The Commissioners asked \$758,557. The committee recommends \$678,840, which is an increase of \$2,505, but \$758,557 less than was requested.

Under contingent and miscellaneous the current appropriation is \$723,738. The Commissioners asked \$100,120 and the committee recommends \$93,400, which is \$4,238.50 less than the current appropriation and \$3,150 less than was requested.

Under improvements and repairs the committee recommends \$75,000, which is \$3,500 less than the current appropriation and \$25,475 less than was requested.

Under streets the committee recommends \$28,575, which is \$1,625 less than the current appropriation and \$25,475 less than was requested.

Under electrical department the committee recommends \$46,400, which is \$2,250 less than the current appropriation and \$5,350 less than was requested.

For the Washington aqueduct the committee recommends \$15,000, the same amount as the current appropriation, but a record of health that is hard to believe.

Mr. Smith devoted considerable time to the passage through the Straits of Magellan. The lantern slides of these scenes were particularly beautiful.

"When the fleet arrived at San Francisco," said Mr. Smith, "only 123 men out of the total number of fighting men were unable to report at roll call. That is a record of health that is hard to believe."

Mr. Smith was introduced by Chapin Brown, who told of the speaker's forty years' connection with the Navy Department.

Crown Princess Has Daughter.

Bukharest, Jan. 6.—Crown Princess Marie to-day gave birth to a daughter.

## Your Evening Clothes

will embody every feature of high-class tailoring if made at this establishment.

Inspect our newest fabrics for Evening Suits and Dinner Coats. Reasonable prices.

E. H. Snyder & Co., Tailors,

1111 PENNSYLVANIA AVENUE N. W.

## \$10,000 less than the Commissioners' estimates.

Under public schools the committee recommends \$2,811,235, which is \$2,568 more than the current appropriation, but \$1,907,535 less than was requested by the Commissioners.

For the support of the police department the committee recommends \$365,332, which is \$12,279.82 less than the current appropriation and \$12,470 less than was requested by the Commissioners.

Under the fire department the committee recommends \$735,510, which is \$71,000 more than the current appropriation, but \$75,370 less than was requested by the Commissioners.

Under the health department the committee recommends \$104,960, which is \$1,000 more than the current appropriation, but \$57,200 less than was requested by the Commissioners.

Under courts and prisons the committee recommends \$225,880, which is \$3,000 more than the current appropriation and \$30,080 less than was requested by the Commissioners.

Under charities and correction the committee recommends \$38,912, which is \$72,230, which is \$30 more than the current appropriation and \$70 less than was requested by the Commissioners.

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Under the fire department the committee recommends \$7